

REMARKS

Support for the amendments

The claim amendments are fully supported in the claims as filed, and thus do not constitute new matter. The new claims are supported, for example, on page 2 (last seven lines) to page 3 (to the end of the first full paragraph), and in the claims as originally filed, and thus do not represent new matter.

Claim rejection under 35 U.S.C. § 112, second paragraph

The Office Action rejected claim 20 under 35 USC § 112, second paragraph, based on the assertion that the claim was indefinite in reciting “supporting liver function.” The Applicant traverses this rejection, but nonetheless has canceled the claim, thus obviating the rejection. The Applicant thus respectfully requests reconsideration and withdrawal of the rejection.

Claim rejection under 35 U.S.C. § 112, first paragraph

The Office Action rejected claims 1-5, 7, 9, 10-11, and 14 under 35 USC § 112, first paragraph, based on the assertion that the specification does not enable the full scope of the claims. The Applicants traverse this rejection, but have nonetheless amended the claims to obviate the rejection. The pending claims recite use of specifically recited matrix metalloproteases inhibitors for the methods of the invention. The specification clearly teaches that the class of MMP-2 and MMP-9 inhibitors can be used in the recited methods (see page 6, last seven lines). It is well within the level of those of skill in the art to determine optimal dosages for the different MMP inhibitors. Such dosage determinations are routine for the skilled clinician. As noted in MPEP 2164.06 (discussing the undue experimentation test), a considerable amount of experimentation is permissible, if it is merely routine. Thus, the specification clearly enables the presently pending claims, and therefore the Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim rejection under 35 USC § 102

The Patent Office rejected claims 1-5, 9, 10-12, and 20 were rejected under 35 USC 102(b) as being anticipated by Leitersdorf, based on the assertion that Leitersdorf discloses administration of doxycycline to patients that have undergone liver transplantation and have developed nocardiosis. The Applicant traverses this rejection, but has amended the claims to obviate the rejection. The pending claims do not recite use of doxycycline, and thus the Applicant respectfully requests reconsideration and withdrawal of the rejection.


CONCLUSIONS

Applicants respectfully contend that all conditions of patentability are met in the pending claims and therefore respectfully request allowance.

If believed to be helpful to expedite prosecution of the above-referenced application, the Examiner is invited to contact the undersigned representative by telephone at (312) 913-2106.

Respectfully submitted,
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